

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HONOURABLE MR.JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER**

TUESDAY, THE 23RD JANUARY 2007 / 3RD MAGHA 1928

LA.App..No. 883 of 2001(A)

LAR.24/1996 of SUB COURT, SULTHAN BATHERY.
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APPELLANT: RESPONDENT

STATE OF KERALA

BY GOVERNMENT PLEADER SMT. K.R.DEEPA

RESPONDENTS: CLAIMANT

**PULIMTHANATHU OUSEPH JOSEPH,
VETILAPPARA P.O.,
ORAGATHERY TALUK, MALAPPURAM DISTRICT.**

BY ADV. SRI.TOMY JOHN VETTATH

**THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 23/01/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

KURIAN JOSEPH & A.K. BASHEER, JJ.

L.A.A.NO.883 OF 2001

DATED THIS THE 23RD DAY OF JANUARY, 2007.

JUDGMENT

Kurian Joseph, J.

This appeal arises out of the judgment and decree in L.A.R.No.24/1996 on the file of the Sub Court, Sulthan Bathery. The total enhancement is only Rs.45,276.68. The only contention is that the same is excessive and exorbitant. We are afraid, the contention cannot be appreciated. It is seen from the judgment that the reference court has relied on Ext.A1 document. There is no contra evidence on the part of the respondent. The acquisition is for implementation of Kuttiadi Augmentation Scheme. The land value fixed is only at the rate of Rs.250/- per cent. It is also to be noted that the land value given is only for vacant land and the rest of the compensation is for the improvements like coffee, cardamom and pepper. Even if there is a slight mistake in the multiplier, since the amount is very small, it is not necessary to unsettle the judgment.

The appeal is accordingly dismissed.

(Kurian Joseph, Judge.)

(A.K. Basheer, Judge.)

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KURIAN JOSEPH & A.K. BASHEER, JJ.

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L.A.A.NO.883 OF 2001

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JUDGMENT

23RD DAY OF JANUARY, 2007.